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*Agency of Agriculture Food & Markets*

## **Scanner Violation Penalty Rate Formula for Counts Pursuant to 6 V.S.A. §15(b) January 1, 2024**

Penalty per Count based on **Frequency** of Violation: (First violation – RCAT)

First Penalty (second violation) for a particular store: \$500.00/count

Second Penalty for same store in three years.            \$1,000.00/count (maximum)

**Egregious Violation** is defined as 15 % or greater error rate. Notice of Violation is issued for egregious violations regardless of the Frequency of Violations.

There is a \$50,000.00 penalty limit.

If after an initial violation the retail location does not have another violation for a three (3) year period, the next violation after that period will be defined again as a First Violation.

A violation is defined as a scanning error rate in excess of 2% of a randomized inspection of items exposed and offered for sale. An error occurs when the posted or tagged price does not match the price at the cash register.

A count is defined as an incorrect posted or labeled price for a specific item offered and exposed for sale.

Revised and in effect for Violations found on or after January 1, 2024. MP

